

REMARKS

Applicants appreciate the consideration of the present application afforded by the Examiner. Claims 1-7 were pending prior to the Office Action. Claims 2-7 have been canceled and claim 8 has been added through this Reply. Therefore, claims 1 and 8 are pending. Claim 1 is independent. Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks.

Claim Rejections - 35 U.S.C. §103(a)

Claims 1-5 and 7 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Pub. No. 2002/0054207 to Iizuka et al. ("Iizuka") in view of U.S. Pub. No. 2002/0030675 to Kawai ("Kawai") and U.S. Patent No. 6,023,277 to Osaka et al. ("Osaka"). Claims 2-5 and 7 have been canceled through this Response, rendering the rejection of those claims moot. As applied to the remaining claims, Applicants submit the Examiner has failed to establish a *prima facie* case of obviousness and traverse the rejection.

For a 35 U.S.C. § 103 rejection to be proper, a *prima facie* case of obviousness must be established. See *M.P.E.P.* 2142. One requirement to establish *prima facie* case of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. See *M.P.E.P.* 2142; *M.P.E.P.* 706.02(f). Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

Iizuka discusses a stereo display apparatus and method in which a suitable viewing position verification image is displayed in accordance with a user's instructions. See *col. 7, line 65 – col. 8, line 2*. Iizuka enables a user to verify a suitable viewing position. See *col. 8, lines 3-4*. Kawai discusses an image display system capable of displaying stereoscopic images in an optimum manner. See *paragraph 25*. Kawai also discusses generating a display image from three-dimensional image data. See *paragraph 26*.

In the Office Action, the Examiner concedes that Iizuka in view of Kawai does not teach "wherein whether the image file is a file that includes the plurality of viewpoint images is judged based on a filename of the image file and/or a directory that stores the image file", and the

Examiner relies on Osaka to allegedly cure this conceded deficiency. *See Office Action, page 3, paragraph 3.*

Osaka discusses recognizing whether an object is capable of a 2D or 3D display in a display device capable of both 2D and 3D display. *See col. 4, lines 44-50.* With respect to the aforementioned deficiencies of Iizuka in view of Kawai, the Examiner refers to Osaka's disclosure: "Further, in order to clarify the file of the image having three-dimensional image data, the file name may be provided with an extension." *See Office Action, page 3, paragraph 4.* However, Osaka merely mentions that a file name may be used to distinguish between an image file having three-dimensional image data and an image file having only two-dimensional image data, and does not teach or suggest any further use of a file extension.

In contradistinction, the claimed invention distinguishes between an image file having three-dimensional image data and an image file having two-dimensional data wherein both image files are created based on the same plurality of viewpoint images. *See e.g., specification page 25, lines 10-18 and page 26, lines 5-9.* Applicants respectfully submit that Osaka fails to teach or suggest the feature "if a 2-dimensional image file and a 3-dimensional image file are created based on the same plurality of viewpoint images, then the 2-dimensional image file and 3-dimensional image file have the same filename and different extensions" as recited in amended claim 1.

Based at least on the foregoing, the combination of Iizuka, Kawai and Osaka fails to teach or suggest each and every limitation of claim 1. Therefore, Applicants submit that claim 1 is patentable over the applied prior art and respectfully request that the rejection of claim 1 under §103(a) be withdrawn.

New Claims

New claim 8 has been added through this Amendment, and are considered to be in condition for allowance at least due to its dependence upon independent claim 1.

CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Notice of same is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John R. Sanders Reg. No. 60,166 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: February 25, 2009

Respectfully submitted,

By 

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